

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Henry S. Ptasinski, et al. Confirmation No. 6933  
Application No. : 09/826,435  
Filed : April 4, 2001  
Title : METHOD FOR SELECTING FRAME ENCODING PARAMETERS IN A  
FRAME-BASED COMMUNICATIONS NETWORK  
  
Grp./Div. : 2133  
Examiner : Phung M. Chung  
  
Docket No. : 42142/RJP/B600

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
February 3, 2005

Commissioner:

BROADCOM CORPORATION, having a place of business at 16215 Alton Parkway, Irvine, CA 92618-3616, is the assignee of the entire interest in U.S. Patent Application No. 09/826,435, filed April 4, 2001, entitled METHOD FOR SELECTING FRAME ENCODING PARAMETERS IN A FRAME-BASED COMMUNICATIONS NETWORK, by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 011708, frame 0344, and also by virtue of the merger recorded at reel 014363, frame 0596 and in U.S. Patent Application No. 09/825,756, (hereinafter the '756 application), by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 011709, frame 0050, and also by virtue of the merger recorded at reel 014363, frame 0596.

BROADCOM CORPORATION hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the '756 application, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same

02/09/2005 CCHAU1 00000027 09826435  
01 FC:1814 130.00 OP

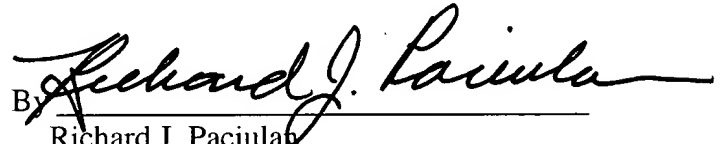
**Application No. 09/826,435**

as the legal title to the '756 application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Broadcom Corporation does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the '756 application in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
Richard J. Paciula  
Reg. No. 28,248  
626/795-9900

RJP/cah

CAH PASS95619.2-\*02/3/05 9:28 AM